

HOUSE BILL REPORT

HB 2979

As Reported by House Committee On:
Juvenile Justice & Family Law

Title: An act relating to addressing cultural upbringing in parenting plans.

Brief Description: Addressing cultural upbringing in parenting plans.

Sponsors: Representatives Hasegawa, Chase, Roberts and Santos.

Brief History:

Committee Activity:

Juvenile Justice & Family Law: 1/25/06, 1/31/06 [DPS].

<p>Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Requires a court to consider the cultural heritage and religious beliefs of a child.

HOUSE COMMITTEE ON JUVENILE JUSTICE & FAMILY LAW

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Dickerson, Chair; Moeller, Vice Chair; McDonald, Ranking Minority Member; McCune, Assistant Ranking Minority Member; Crouse, Lovick and Roberts.

Staff: Kara Durbin (786-7133).

Background:

Under Washington law, divorcing couples with children must establish a parenting plan. The parenting plan establishes the rights and responsibilities of each parent. Each plan must include: (1) a dispute resolution process for handling disagreements between the parents; (2) an allocation of decision-making authority to one or both parents for each child's education, health care and religious training; and (3) a schedule of when each child is to reside with each parent.

A parenting plan must allocate decision-making authority to one or both parents in three areas: education, health care, and religious upbringing. Other areas of decision-making may also be included in the parenting plan. For example, some parenting plans contain a provision that there be joint decision-making for the child's extra-curricular activities that occur during both parties' parenting time, or activities that require a financial commitment from both parents.

Summary of Substitute Bill:

In establishing a parenting plan, a court must consider the cultural heritage and religious beliefs of a child.

Substitute Bill Compared to Original Bill:

The substitute bill removes cultural upbringing provisions from the decision-making authority section of the bill. Instead, it requires the court to consider the cultural heritage and religious beliefs of a child when establishing a parenting plan.

Appropriation: None.**Fiscal Note:** Not requested.**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.**Testimony For:** (Original bill) Maintaining cultural roots is important. Children need to maintain their cultural roots after their parents divorce. The judge can still exercise considerable discretion. There is a lack of understanding about the benefits of cultural diversity, particularly diversity in language. It is important for children to develop a connection with their heritage. Cultural heritage should be given equal weight with other factors that are considered in developing a parenting plan under existing law.**Testimony Against:** (Original bill) We agree with the value of linguistic education for children. Cultural heritage should be part of a parenting plan. However, we have concerns with this section being placed in the decision-making authority section of the statute.**Persons Testifying:** (In support) Representative Hasegawa, prime sponsor; Justice Phil Talmadge; Joyce Shui; Matt Kelley, Mavin Foundation; Ariel Rodriguez, Commission on Hispanic Affairs; and Hawo Sheikh, Highline Community College Child Care Center.

(Opposed) Rick Bartholomew, Washington State Bar Association.

Persons Signed In To Testify But Not Testifying: Jane Mai-Jin, Chinese Human Rights.